

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,	:	
	:	
	:	11 Cr. 897-01 (LGS)
-against-	:	
	:	<u>ORDER</u>
MANSSOR ARBABSIAR,	:	
Defendant.	:	
-----X	:	

LORNA G. SCHOFIELD, District Judge:

WHEREAS, on August 22, 2023, Defendant filed a *pro se* Motion for Sentence Reduction Under 18 USC 3582(c)(1)(A) (Compassionate Release) and a letter motion to appoint Ms. Sabrina Shroff as counsel (Dkt. No. 91);

WHEREAS, on September 19, 2023, Ms. Shroff was appointed as counsel for Defendant and was directed to file a letter by September 26, 2023, stating whether Defendant intended to refile his motion for sentence reduction. Defendant's *pro se* motion was terminated (Dkt. No. 98);

WHEREAS, defense counsel filed no letter by September 26, 2023, or thereafter;

WHEREAS, on November 3, 2023, the Court set a briefing schedule for the filing of any amended motion by December 1, 2023;

WHEREAS, defense counsel filed no amended motion by December 1, 2023, or thereafter;

WHEREAS, on February 23, 2024, the Probation Department issued a Supplemental Presentence Report, which concludes that Defendant appears to be ineligible for an adjustment of his Guidelines range under the 2023 retroactive amendments to the Sentencing Guidelines (Dkt. No. 100 under seal);

WHEREAS, on July 12, 2024, the Clerk's Office received Defendant's Supplemental

Motion dated June 21, 2024, which was filed under seal as it contained Defendant's medical records. A digital copy of Defendant's Supplemental Motion was transmitted to counsel of record on August 5, 2024;

WHEREAS, on August 7, 2024, the Government filed a letter requesting a new briefing schedule and guidance as to which of Defendant's motions the Government should address (Dkt. No. 102);

WHEREAS, on August 12, 2024, the Court directed the parties to confer and file a joint letter by August 15, 2024, (i) informing the Court as to whether Defendant intends to file an amended Motion or rely on his previously filed applications and (ii) proposing a briefing schedule (Dkt. No. 103);

WHEREAS, on August 15, 2024, the parties filed a status letter noting Defendant's intent to amend or supplement his pending motion and proposing a briefing schedule (Dkt. No. 104);

WHEREAS, pursuant to the Court's Order dated August 19, 2024, the deadline for Defendant's amended or supplemental motion was September 30, 2024 (Dkt. No. 105);


WHEREAS, defense counsel filed no amended or supplemental motion by September 30, 2024, or thereafter. It is hereby

ORDERED that, based defense counsel's repeated disregard for the Court's deadlines and Defendant's interest in litigating his motion, as evidenced by his *pro se* submissions, Ms. Shroff is relieved as counsel for Defendant. Mr. David M. Stern, CJA attorney on duty today, is hereby appointed as counsel for Defendant for the purpose of filing any application for a sentence reduction. The Court will transmit a copy of Defendant's Supplemental Motion, including medical records, to Mr. Stern. It is further

ORDERED that by **October 18, 2024**, the parties shall confer and file a joint letter

proposing a briefing schedule for any amended motion for sentence reduction.

Dated: October 8, 2024
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE